



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Petition to Withdraw Holding of Abandonment

3723
#12/dpm
4-13-04
Ret re
Aband.

Applicant: Hawkins, Bruce L.

Art Unit: 3723

Serial No.: 09/871,271

Examiner: Shanley, Daniel

Filed: 05/31/2001

Docket: 08002.00011

For: JACK ACCESSORY

Petition to Withdraw Holding of Abandonment

MAILING CERTIFICATE UNDER 37 C.F.R. 1.8(A)

I hereby certify that the above correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Technology Center 3700, Commissioner for Patents, PO Box 1450 Alexandria, VA 22313 on or before 2 April 2004.

Printed Name:

STEVEN Thrasher

Signature:

Steven Thrasher

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TECHNOLOGY CENTER R3700

Dear Sirs:

1. Please accept this Petition to Withdraw Holding of Abandonment.
2. Please find enclosed a copy of the original Office Action Cover Letter dated 6/5/2002.
3. Please find enclosed a copy of the original Office Action Response Cover Letter dated 9/6/2002.
4. Please find enclosed a copy of the original invitation to pay for a one month extension dated 12/17/2002--nearly twelve weeks after the Office Action Response was received by the Receiving Office. Although the day this paper was received by our office is unknown, our offices were closed from 12/15/02 until 1/2/03 for the holidays, and so the invitation was not opened until the second day of January.
5. Had the invitation to pay for a one-month extension been timely received by our office, we would have timely responded to it.

6. Please find enclosed a copy of the original payment for the one-month extension dated 1/2/2003. This was the first day our office was open following the holiday, indicating that the payment for the one-month extension was sent the actual day it was opened. This payment was processed and cleared on the firm's Visa Card on 1/8/03. We have no record of any refund.

7. In a follow-up phone call to Examiner Shanley in early January 2003, it was indicated that we had done all we need to do to keep the patent application active in the Patent Office.

8. In January 2004 (I believe on the 22nd) we received a response from Examiner Shanley to discuss issues regarding an upcoming second non-final Office Action (believed to be dated 27 January 2004).

9. Based on a) the invitation to pay the late fee, b) the acceptance and processing of the late fee, c) the assurance from Examiner Shanley, and d) the recordation of the status in the USPTO as "pending" for over one year, it was believed that the present Application was, in fact, pending and that all that needed to be done to keep it pending had been done. Further, based on the discussion with Examiner Shanley in January 2004, it was in fact believed that the Application was nearly in condition for allowance.

10. But-for the fact that the Invitation to pay a one-month extension was sent by the USPTO twelve weeks following the receipt of the Office Action Response (item 4, above), the present application would not have been deemed late and thus would not have been Held Abandoned.

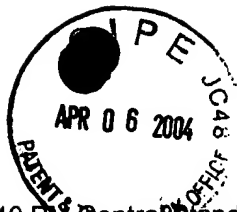
11. Accordingly, please withdraw the Holding of Abandonment and resume examination of the Application.

12. If any matters remain, please contact me immediately so that they can be resolved.

Sincerely,

A handwritten signature in cursive script, appearing to read "Steven Thrasher".

Steven Thrasher
Reg. No. 43,192
Attorney for Applicant



Subj: 09/871,271
Date: 2/5/2004 5:38:40 PM Eastern Standard Time
From: Daniel.Shanley@USPTO.GOV
To: Joseph.Hail@USPTO.GOV
CC: steve4laws@aol.com

Joe,

I just got a phone call from Attorney Steven Thrasher (whom is copied on this e-mail) at around 6PM. I had signed (part sig authority) and submitted a second non-final on the case on January 21, 2004. Apparently instead of receiving my action, he received a notice of abandonment. I did not send a notice of abandonment and assume one of the LIE's was confused because it does appears that the case should have been abandoned.

However, this is not the case. Initially, there was a problem concerning the extension of time (I seem to remember incorrect entering of a date), which after consultation with Steve Marcus and yourself, it was agreed to send out another action. Anyway, I posted a copy of the action I did to you on OACS. Furthermore, there is a hard copy of the action I wrote up on my desk.

I explained to Mr. Thrasher that I was leaving the office and that I took tommorow off which is my last day. Anyway, hopefully, this will not take too much time to straighten out. HIs number is 972-918-9312.

Regards,

Daniel Shanley

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UNITED STATES PATENT AND TRADEMARK OFFICE

APR 06 2004

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILED DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/871,271	05/21/2002	Bruce L. Hawkins	00001	1490

7590 06/05/2002
Bruce L. Hawkins
7882 East Highway 92
Hereford, AZ 85615

DAY

EXAMINER	
SHANLEY, DANIEL G	
ART UNIT	PAPER NUMBER

3723

DATE MAILED: 06/05/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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TECHNOLOGY CENTER #3700



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hawkins

Art Unit: 3723

Serial No.: 09/871,271

Examiner: D. Shanley

Filed: 05/31/00

Docket: 08002.00011

For: JACK ACCESSORY

AMENDMENT

September 6, 2002

Assistant Commissioner For Patents
Washington, D.C. 20231

MAILING CERTIFICATE UNDER 37 C.F.R. 1.8(A)

I hereby certify that the above correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on or before September 6, 2002.

Printed Name: Steven Thrasher

Signature: Steven Thrasher

Dear Sir:

The following amendment and remarks are offered in response to the Examiner's Office Action dated June 6, 2002, and with a shortened statutory response period of September 6, 2002. Favorable consideration of the above-referenced patent application is respectfully requested.

In the Claims

Please cancel claims 5, 16 and 17. Please amend Claim 1 as indicated in the VERSION WITH MARKINGS TO SHOW CHANGES MADE to read as shown below.

1. (Amended) A jack accessory assembly, comprising:
a lift column that fits about a jack stem;
a lift-column socket adapted to fit the lift column; and
a tongue adapted to fit in the lift-column socket.

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Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/871,271	12/17/2002	Bruce L. Hawkins	00001	1490

STEVEN THRASHER
391 SANDHILL DR.
RICHARDSON, TX 75080

EXAMINER

SHANLEY, DANIEL G

ART UNIT

PAPER NUMBER

3723

DATE MAILED: 12/17/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: ASSISTANT COMMISSIONER FOR PATENTS

Washington, D.C. 20231

APPLICATION NO. CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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8

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Dear applicant:

The response filed on 9/12/02 was not timely filed. An extension of time is needed for 1 month. The fee for extension is \$55.00.

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TECHNOLOGY CENTER H3700



Assistant Commissioner for Patents
Washington, D. C. 20231

Date: January 2, 2003

MAILING CERTIFICATE UNDER 37 C.F.R. 1.8(A)

I hereby certify that the above correspondence is being deposited with the U.S. Postal Service as Priority First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on or before January 2, 2003.

Printed Name: Steven Thrasher

Signature: Steven Thrasher

REQUEST FOR EXTENSION

Applicant: Bruce Hawkins, Bruce, L.
Art Unit: 3723
Serial No. 09/871,271
Examiner: Shanley, Daniel G
Filed: 05/31/00
Attorney Docket No.: 08002.00011

Dear Sir:

In response to Office communication dated 12/17/2002 applicant hereby encloses the fee for a one month extension. Please find enclosed a credit card payment in the amount of \$55 enclosed herein.

Sincerely,

Steven Thrasher
Attorney for Applicant

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TECHNOLOGY CENTER R3700

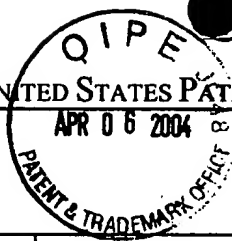
As of 1/27/2004 - Search results for application number:09/871,271

Application Number:	09/871,271	Customer Number:	-
Filing or 371(c) Date:	5/31/2001	Status:	Non Final Action Mailed
Application Type:	Utility	Status Date:	12/16/2002
Examiner Name:	SHANLEY, DANIEL G	Location:	-
Group Art Unit:	3723	Location Date:	1/22/2004
Confirmation Number:	1490	Earliest Publication No:	US 2002-0014618 A1
Attorney Docket Number:	1	Earliest Publication Date:	2/7/2002
Class/ Sub-Class:	254/111	Patent Number:	-
First Named Inventor:	Bruce Hawkins, Hereford, AZ (US)	Issue Date of Patent:	-
Title Of Invention:	Jack accessory		

File Contents History		
Number	Date	Contents Description
16	1/9/2003	Request for Extension of Time - Granted
15	12/17/2002	Mail Notice of Informal or Non-Responsive Amendment
14	12/16/2002	Date Forwarded to Examiner
13.1	9/12/2002	Informal or Non-Responsive Amendment after Examiner Action
13	9/12/2002	Response after Non-Final Action
11	9/26/2002	Correspondence Address Change
10	9/26/2002	Change in Power of Attorney (May Include Associate POA)
9	6/5/2002	Mail Non-Final Rejection
8	6/3/2002	Non-Final Rejection
7	5/21/2002	Case Docketed to Examiner In GAU
6	11/19/2001	Case Docketed to Examiner In GAU
5	11/6/2001	Application Dispatched from OIPE
4	10/23/2001	Application Is Now Complete
3	7/31/2001	Correspondence Address Change



UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/871,271	05/31/2001	Bruce L. Hawkins	00001	1490

7590 02/03/2004
STEVEN THRASHER
391 SANDHILL DR.
RICHARDSON, TX 75080

EXAMINER	
SHANLEY, DANIEL G	
ART UNIT	PAPER NUMBER
3723	

DATE MAILED: 02/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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APR 09 2004

TECHNOLOGY CENTER

Notice of Abandonment

Application No.

09/871,271

Examiner

Joseph J. Hail III

Applicant(s)

HAWKINS, BRUCE L.

Art Unit

3723

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 05 June 2002.
 - (a) ☒ A reply was received on 12 September 2002 (with a Certificate of Mailing or Transmission dated 06 September 2002), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on 9/5/02.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☐ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☒ The reason(s) below:

The office letter mailed 12/17/02, which was after the expiration of the statutory 6-month period from the 6/5/02 non-final rejection was in error as the application had already become abandoned. Applicant may request a refund of the \$55 fee paid on 1/9/03.

Joseph J. Hail III
SPE
Art Unit: 3723

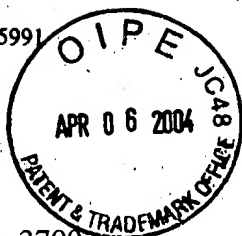
Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

391 Sandhill Drive, Suite 1600
Richardson, Texas 75080
888-427-2836; Fax: 214-291-5991
uspatentlaw@aol.com



Thrasher Associates, LLC

Steven Thrasher
Direct Line: 972-918-9312
steve4laws@aol.com



Tech Center 3700
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450
2 April 2004

MAILING CERTIFICATE UNDER 37 C.F.R. 1.8(A)

I hereby certify that the above correspondence is being deposited with
the U.S. Postal Service as First Class Mail in an envelope addressed to:
Mail Stop: Petitions, Assistant Commissioner for Patents,
PO Box 1450 Alexandria, VA 22313 on or before 2 April 2004.

Printed Name: Steven Thrasher
Signature: *Steven Thrasher*

Dear Sirs:

Pursuant to telephone instructions received with thanks from Group Leader and
Examiner Steven Marcus on 2 April 2004, please find the following timely filed response
to the Notice of Abandonment mailed from the USPTO on 3 February 2004.

Please also find enclosed:

- A) Petition to Withdraw Holding of Abandonment (including factual statements);
- B) Copy of Notice of Abandonment; and
- C) Postcard.

Sincerely,

Steven Thrasher
43,192
Attorney for Applicant

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